

Serial No. 10/670,594, filed 9/25/03

**REMARKS**

Claims 1-20 are presently in the application. Claims 1-17 and 19 were indicated as allowed. Claims 18 and 20 were rejected under §102(b) over Lavelly.

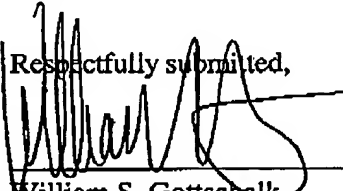
Regarding the Examiner's objection to Figure 2 for showing modified forms of construction, the Examiner is apparently referring to the holes 58 and 60. This is not a modified form of construction. Rather, both holes appear in the element 46 to provide interchangeability for different handed slack adjusters. Both holes are shown present in Figure 3. Accordingly, ~~Figure 2 does not depict modified forms of construction, but the actual construction of the~~ element 46 in the example shown in Figure 2. Accordingly, no amendment to Figure 2 is required.

The Applicant disagrees with Examiner's rejection of claims 18 and 20 for several reasons. First, the element 32 is not an aperture as argued by the Examiner, but is a piston. Second, the Examiner argues that a slot is provided by the hole in the rod end. The Examiner reads the diameter of the hole to meet the limitation that the slot extends in a direction generally parallel with an axis of the worm. This is not a reasonable reading of Lavelly.

Applicant and Examiner have agreed that amended claim 18 would address the disagreement between the Examiner and Applicant and overcome Lavelly. The Examiner is filing a telephone conference summary to that effect for the telephone conference that occurred on October 25, 2005.

Applicant respectfully solicits allowance of these claims. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

  
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